IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

-

WRIT PETITION NO : 26847 of 1998

Between:

Ch.Venkateswara Rao, s/o.Ch.Ramaiah,

Amaravani High School Road, Patamata, Vijayawada.

..... PETITIONER

AND

1)The Government of Andhra Pradesh, rep. by its
Secretary, Labour, Employment, Training & Factories(Lab-I)
Department, Secretariat, Hyderabad.

2)The Presiding Officer, Labour Court, Guntur.

3)Siddartha Academy of General & Technical Education,
rep. by its Secretary, Siddartha Nagar, Vijayawada.

4)Garapati Panduranga Mohana kumar, s/o.Venkaiah,

r/o. H.No.32-6-4, Prajashaktinagar, Vijayawada. ..RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more in the nature of Writ of Certiorari to call for records relating to and connected with I.D.No.4 of 1989 on the file of the Labour Court, Guntur and to quash or set aside the same and to issue a consequential direction to the third respondent to reinstate the petitioner as driver forthwith with all consequential benefits including back wages, etc.

For the Petitioner: MR.P.PRABHAKAR RAO, Advocate

For the Respondent Nos 1 and 2 : G.P.for Labour and Employment

For the Respondent no.3 : Mr. C.KODANDA RAM, Advocate
For Respondent no.4: None appeared.

The Court made the following :

O R D E R :

1 . The Writ Petition is filed challenging the order dated 02.06.1997 passed by the Labour Court, Guntur, in I.D.No.4 of 1989 confirming order of termination passed by the management of third respondent academy against the petitioner.

2. The Industrial Dispute was raised in I.D.No.4 of 1989. The learned Tribunal after considering the matter, passed award holding that the workman is not entitled for any relief against the management. However, the management was directed to pay a sum of Rs.1,500/- to the petitioner, which was returned by him to the management.

3. The learned counsel for the petitioner tried to take this court to the various documents and evidence adduced in the Industrial Dispute. But, in view of the long lapse of time and as the petitioner is already nearing 60 years, I do not find that it is a fit case to adjudicate the matter on merits.

4 . Under these circumstances, the writ petition is dismissed. However, the third respondent is directed to refund Rs.1,500/- to the petitioner within a period of four weeks from the date of receipt a copy of this order. No costs.

29.07.2004

Copy to:

1)The Secretary, Labour, Employment, Training & Factories(Lab-I)
Department, Government of Andhra Pradesh, Secretariat, Hyderabad.

2)The Presiding Officer, Labour Court, Guntur.

3)The Secretary, Siddartha Academy of General & Technical Education,
Siddartha Nagar, Vijayawada.

4)Two CCS G.P. for Labour and Employment, High Court buildings, High Court of A.P., Hyderabad (o.u.t.)

5)Two CD copies.

CHV/DRK